

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION FOR DEFAULT JUDGMENT AND PERMANENT
INJUNCTION AGAINST DEFENDANT TRENDY TEXAS, LLC

Having considered (1) Plaintiffs Coach, Inc. and Coach Services, Inc.’s (“Plaintiffs”) Motion for Default Judgment and Permanent Injunction, (2) the Declaration of John R. Nelson in support thereof, (3) the Affidavit of John R. Nelson regarding attorney fees, (4) the Summons, (5) the First Amended Complaint, (6) the Affidavit of Service, and (7) all of the relevant papers and pleadings on file with the Court in this matter, THE COURT ORDERS AS FOLLOWS:

Plaintiffs' Motion for Default Judgment and Permanent Injunction against Defendant Trendy Texas LLC ("Trendy Texas") is GRANTED.

1. Trendy Texas is liable to Plaintiffs for the willful infringement of Coach copyrights:

- “Signature C” Design - Registration No.: VA 1-228-917 (see **Exhibit A**);
 - “Horse & Carriage” Design - Registration No. VA 1-714-051 (see **Exhibit B**);

2. Trendy Texas is liable to Plaintiffs for willful trademark infringement under federal law, 15 U.S.C. § 1114 et seq., resulting from its use in commerce of Plaintiffs' trade dress and use and imitation of Coach Trademarks and/or Service Mark Registration Numbers including one or more of the following:

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
4,105,689	COACH	9 for sunglasses.	February 25, 2012	COACH
3,413,536	COACH EST. 1941 Stylized	14 for <i>inter alia</i> jewelry	April 15, 2008	
2,534,429	COACH & Lozenge Design	9 for eyeglasses, eyeglass frames, and sunglasses.	January 29, 2002	
2,534,429	COACH & Lozenge Design	9 for eyeglasses, eyeglass frames and sunglasses.	January 29, 2002	
2,045,676	COACH & Lozenge Design	6, 9, 16, 18, 20, 25 for <i>inter alia</i> key fobs, money clips, phone cases, computer cases, briefcases, satchels, duffel bags, hats, caps and gloves.	March 18, 1997	
2,626,565	CC & Design (Signature C)	18 for <i>inter alia</i> handbags, purses, clutches, shoulder bags, tote bags, and wallets.	September 24, 2002	
2,822,318	CC & Design (Signature C)	24 for fabric for use in the manufacture of clothing, shoes, handbags, and luggage.	March 16, 2004	
2,832,589	CC & Design (Signature C)	6, 9, 14, 18, for <i>inter alia</i> sunglasses and eyeglass cases, metal key fobs, leather key fobs, jewelry, watches,	April 13, 2004	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
		umbrellas.		
2,592,963	CC & Design (Signature C)	25 for <i>inter alia</i> clothing namely, scarves, belts, gloves, hats, shoes, coats, jackets.	July 9, 2002	
4,391,741	COACH LEATHERWARE EST. 1941 & Design	3 for after-shave, body lotions, fragrances, make-up, perfumes, soaps for personal use.	August 27, 2013	
4,296,582	COACH EST. 1941 NEW YORK & Design	14,16,18 and 25 for <i>inter alia</i> jewelry and watches, handbags, leather credit card cases, purses, shoulder bags, wallets, belts, coats, t-shirts, hats, gloves, shoes, day planners.	February 26, 2013	
4,359,191	COACH EST. 1941 NEW YORK & Design	9 for protective covers and cases for cell phones, laptops and portable media players.	June 25, 2013	

3. Trendy Texas is liable to Plaintiffs for unfair competition under federal law, 15 U.S.C. § 1125, and under the laws of the State of Texas.

4. Plaintiffs are awarded \$_____ in statutory damages against Trendy Texas under the Copyright Act.

5. Plaintiffs are awarded \$_____ in statutory damages against Trendy Texas under the Lanham Act.

6. Plaintiffs are awarded \$_____ against Defendants for attorneys' fees and \$650.00 in court costs.

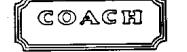
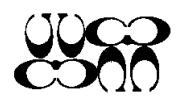
7. Trendy Texas shall be permanently enjoined from further infringing any of Plaintiffs' copyrights and trademarks, as follows:

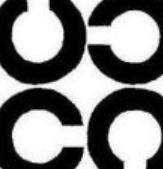
Defendants are hereby PERMANENTLY ENJOINED and restrained from:

(a) imitating, copying, or making any other infringing use or infringing distribution of all items or things protected by Plaintiffs' registered trademarks and service marks, including, but not limited to, the following Trademark Registration Nos.:

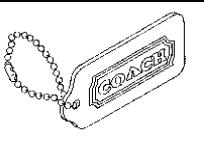
Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
2,088,706	COACH	6, 9, 16, 18, 20 and 25 for <i>inter alia</i> key fobs, eyeglass cases, cellular phone cases satchels, tags for luggage, luggage, backpacks, picture frames, hats, gloves and caps.	August 19, 1997	COACH
3,157,972	COACH	35 for retail store services.	October 17, 2006	COACH
751,493	COACH	14 for Leather Goods, namely, Utility Kits, Portfolios, Key Cases, Pass Cases, Billfolds, Wallets, Pocket Secretaries.	June 23, 1963	COACH
2,451,168	COACH	9 for eyeglasses.	May 15, 2001	COACH
4,105,689	COACH	9 for sunglasses.	February 25, 2012	COACH
2,537,004	COACH	24 for <i>inter alia</i> home furnishings.	February 5, 2002	COACH
1,846,801	COACH	25 for men's and women's coats and jackets.	July 26, 1994	COACH
3,439,871	COACH	18 for umbrellas.	June 3, 2008	COACH

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
2,231,001	COACH	25 for clothing for men, women, namely, coats, jackets, overcoats, raincoats, shirts, vests, scarves, shoes and belts.	March 9, 1999	COACH
3,354,448	COACH	14 for <i>inter alia</i> jewelry.	December 11, 2007	COACH
2,446,607	COACH	16 for <i>inter alia</i> writing instruments.	April 24, 2001	COACH
2,291,341	COACH	14 for watches.	November 9, 1999	COACH
1,071,000	COACH	18, 25 for <i>inter alia</i> women's handbags and men's and women's belts.	August 9, 1977	COACH
3,633,302	COACH	3 for <i>inter alia</i> perfumes, lotions and body sprays.	June 2, 2009	COACH
4,168,626	COACH NEW YORK	18, 25 for <i>inter alia</i> briefcases, satchels, tote bags, duffle bags, key cases, coin cases, wallets, hats, caps, gloves, coats, jackets, overcoats, raincoats, scarves, shoes and belts.	July 3, 2012	COACH NEW YORK
4,296,584	COACH NEW YORK	9, 16 for cases for eyeglasses and sunglasses, sunglasses and spectacles, calendars and diaries.	February 26, 2013	COACH NEW YORK
3,413,536	COACH EST. 1941 Stylized	14 for <i>inter alia</i> jewelry	April 15, 2008	
2,534,429	COACH & Lozenge Design	9 for eyeglasses, eyeglass frames, and sunglasses.	January 29, 2002	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
3,363,873	COACH & Lozenge Design	3 for <i>inter alia</i> fragrances.	January 1, 2008	
2,252,847	COACH & Lozenge Design	35 for retail services.	June 15, 1999	
2,291,368	COACH & Lozenge Design	14 for <i>inter alia</i> watches.	November 9, 1999	
2,534,429	COACH & Lozenge Design	9 for eyeglasses, eyeglass frames and sunglasses.	January 29, 2002	
2,169,808	COACH & Lozenge Design	25 for <i>inter alia</i> clothing for men and women, namely, coats, jackets, scarves, shoes, and belts.	June 30, 1998	
2,045,676	COACH & Lozenge Design	6, 9, 16, 18, 20, 25 for <i>inter alia</i> key fobs, money clips, phone cases, computer cases, briefcases, satchels, duffel bags, hats, caps and gloves.	March 18, 1997	
1,070,999	COACH & Lozenge Design	18, 25 for <i>inter alia</i> women's handbags and men's and women's belts.	August 9, 1977	
1,309,779	COACH & Lozenge Design	9, 16, 18 for <i>inter alia</i> eyeglass cases and leather goods, namely, wallets, purses and shoulder bags.	December 19, 1984	
2,035,056	COACH & Lozenge Design	3, 21 for <i>inter alia</i> leather cleaning products and shoe brushes.	February 4, 1997	
2,626,565	CC & Design (Signature C)	18 for <i>inter alia</i> handbags, purses, clutches, shoulder bags, tote bags, and	September 24, 2002	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
		wallets.		
2,822,318	CC & Design (Signature C)	24 for fabric for use in the manufacture of clothing, shoes, handbags, and luggage.	March 16, 2004	
2,832,589	CC & Design (Signature C)	6, 9, 14, 18, for <i>inter alia</i> sunglasses and eyeglass cases, metal key fobs, leather key fobs, jewelry, watches, umbrellas.	April 13, 2004	
2,592,963	CC & Design (Signature C)	25 for <i>inter alia</i> clothing namely, scarves, belts, gloves, hats, shoes, coats, jackets.	July 9, 2002	
2,822,629	CC & Design (Signature C)	35 for retail services.	March 16, 2004	
4,365,898	COACH Signature C & Design	9 for protective covers and cases for cell phones, laptops and portable media players.	July 9, 2013	
3,396,554	AMENDED CC & Design (Signature C)	3 for fragrances.	March 11, 2008	
3,784,814	COACH OP ART & Design	9 for <i>inter alia</i> eyeglasses and sunglasses.	May 4, 2010	
4,365,899	COACH OP ART & Design	9 for protective covers and cases for cell phones, laptops and portable media players.	July 9, 2013	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
4,105,636	COACH OP ART & Design	14, 18, 25 for jewelry, watches, wallets, handbags, belts, hats, scarves, shoes, coats, gloves and t-shirts.	February 28, 2012	
4,391,741	COACH LEATHERWARE EST. 1941 & Design	3 for after-shave, body lotions, fragrances, make-up, perfumes, soaps for personal use.	August 27, 2013	
4,296,582	COACH EST. 1941 NEW YORK & Design	14,16,18 and 25 for <i>inter alia</i> jewelry and watches, handbags, leather credit card cases, purses, shoulder bags, wallets, belts, coats, t-shirts, hats, gloves, shoes, day planners.	February 26, 2013	
4,359,191	COACH EST. 1941 NEW YORK & Design	9 for protective covers and cases for cell phones, laptops and portable media players.	June 25, 2013	
3,251,315	COACH EST. 1941 & Design	18, 25 for <i>inter alia</i> handbags, small leather goods, jackets, coats and shoes.	June 12, 2007	
3,338,048	COACH & Design	18 for <i>inter alia</i> luggage, backpacks, purses, wallets, and shoulder bags.	November 11, 2007	
3,149,330	C & Lozenge Logo	14 for watches.	September 26, 2006	
2,162,303	COACH & Tag Design	25 for belts.	June 2, 1998	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
4,334,351	COACH & Tag Design	9 for protective covers and cases for cell phones, laptops and portable media players.	May 14, 2013	
3,685,590	COACH & Tag Design	14 for bracelets, earrings, jewelry, necklaces, rings being jewelry, watches.	September 22, 2009	
2,088,707	COACH & Tag Design	18 for <i>inter alia</i> briefcases, handbags, satchels, tote bags, duffle bags, cosmetic bags, luggage.	August 19, 1997	
4,744,715	COACH NEW YORK & Design	18 for handbags; purses; tote bags; clutch purses; wristlet bags; shoulder bags; messenger bags; duffle bags; backpacks; briefcases; travel bags; luggage; garment bags for travel; bags for carrying babies' accessories; wallets; billfolds; luggage tags; cosmetic cases sold empty; toiletry cases sold empty; key cases and wallets; business card cases; credit card cases; coin purses; umbrellas; pet collars and leashes; and leather boxes.	May 26, 2015	
4,744,716	COACH NEW YORK & Design	16 for notebooks; address books; daily planners; diaries; paper refills for notebooks, address books, daily planners,	May 26, 2015	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
		diaries, and calendars; paper weights; desk file trays; bookmarks; pencil cases; checkbook covers; money clips; paper shopping bags; boxes of paper or cardboard; paper holders for receipts; and tissue paper.		
4,744,718	COACH NEW YORK & Design	25 for clothing, namely, coats, jackets, overcoats, raincoats, vests, parkas, capes, blouses, shirts, t-shirts, tank tops, tunics, sweaters, sweatshirts, skirts, pants, dresses, scarves, swimwear; belts; gloves; hats; and footwear.	May 26, 2015	
4,744,719	COACH NEW YORK & Design	3 for fragrances; aftershaves; colognes; leather cleaning and moisturizing preparations; and fabric cleaners.	May 26, 2015	
4,744,720	COACH NEW YORK & Design	9 for sunglasses; eyeglasses; optical frames; cases for eyeglasses and sunglasses; adapter plugs; cell phone cases; cell phone covers; carrying cases for cell phones; protective covers and cases for tablet computers; and mouse pads.	May 26, 2015	

Registration No.	Mark	Classes, Goods and Services	Date of Registration	Image
4,744,721	COACH NEW YORK & Design	14 for watches; jewelry; and ornamental pins.	May 26, 2015	
4,814,094	COACH NEW YORK & Design	18 for handbags; purses; tote bags; clutch purses; wristlet bags; shoulder bags; messenger bags; duffle bags; backpacks; briefcases; travel bags; luggage; garment bags for travel; bags for carrying babies' accessories; cosmetic cases sold empty; and toiletry cases sold empty.	September 15, 2015	
4,754,870	COACH NEW YORK	3, 6 for fragrances; key fobs of common metal; and metal rings and chains for keys.	June 16, 2015	COACH NEW YORK

and any other items or things now or hereafter protected by any of Plaintiffs' trademarks or copyrights;

(b) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting, or displaying any item or thing bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of any of Plaintiffs' registered trademarks or service marks, including, but not limited to, the Trademark and Service Mark Registration Nos. listed in Paragraph (a) above;

(c) using any simulation, reproduction, counterfeit, copy, or colorable imitation of Plaintiffs' registered trademarks or service marks including, but not limited to, the Trademark and Service Mark Registration Nos. listed in Paragraph (a) above, in connection with the

manufacture, distribution, offering for distribution, sale, offering for sale, advertisement, promotion, or display of any item or thing not authorized or licensed by Plaintiffs;

(d) using any false designation of origin or false description which can or is likely to lead the trade or public or individuals erroneously to believe that any item or thing has been manufactured, produced, distributed, offered for distribution, advertised, promoted, displayed, licensed, sponsored, approved, or authorized by or for Plaintiffs, when such is in fact not true;

(e) engaging in any other activity constituting an infringement of any of Plaintiffs' trademarks, service marks and/or copyrights, or of Plaintiffs' rights in, or right to use or to exploit these trademarks, service mark, and/or copyrights or constituting any dilution of Plaintiffs' name, reputation, or goodwill; and

(f) knowingly assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in paragraphs (a) through (e) above.

THIS IS A FINAL JUDGMENT.

IT IS SO ORDERED.

SIGNED this _____ day of _____, 2017

HON. GRAY MILLER
United States District Judge